



IFW

500.43007X00

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Yusuke FUKUDA et al.  
Serial No.: 10/634,769  
Filed: August 6, 2003  
For: PERFORMANCE INFORMATION MONITORING SYTEM,  
METHOD AND PROGRAM  
Group: 2186  
Examiner: S. Elmore

**RESPONSE TO RESTRICTION REQUIREMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

August 24, 2005

Sir:

The following is in response to the August 4, 2005 Office Action in which the Examiner alleges that restriction under 35 USC §121 is required and requested Applicants to elect one of the alleged inventions.

In response to the restriction requirement Applicants hereby elect without traverse Invention I, claims 1, 2 and 7-9 for further prosecution on the merits. Accordingly, an Office Action examining claims 1, 2 and 7-9 is respectfully requested.

To the extent necessary, the applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, or credit any overpayment of fees, to

the deposit account of Mattingly, Stanger & Malur, P.C., Deposit Account No. 50-1417 (500.43007X00).

Respectfully submitted,

MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C.



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